

5-12667-1

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is

u... items in accordance with the ICAO
ve... a few items in accordance with Title 49.
o... has been very successful in converting the
e... more closely align to the UN worldwide
ou... the most difficult time period is behind us,
ss... significant safety concerns.

... directly affecting FedEx include:

I... regulated by ground transportation

I... and other Class 9s) are inadequately marked and
labeled for air transport

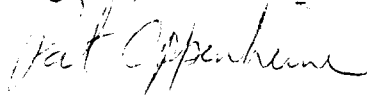
... emit carbon dioxide gas which in sufficient
... transport employees who may drive or perform other
... jobs. FedEx has ongoing research involving the packages
... being transported in non-dedicated cab vehicles.
... suggest we and other carriers not utilizing dedicated cab
... have been extremely lucky that no known injury or death have
... due to impairment. Our research suggests that only a few hundred
... in a delivery vehicle can result in high levels of carbon dioxide gas. It
... our strong opinion, in order to provide for a adequate level of safety, that
... containing Dry Ice should become regulated by ground
... transportation identical to the regulations governing air transportations. The
... need to identify and limit Dry Ice quantities on vehicles without dedicated
... is necessary to prevent accidents and injuries.

Basic markings including proper shipping name and UN# along with the
appropriate hazard class label, are essential in order to properly recognize
hazardous materials in transportation. In addition to the lack of classification
for Dry Ice by ground transportation, Title 49 inadequately addresses the
marking and labeling requirements of Dry Ice and other nonlabeled Class 9
material by air transportation.

When ORM markings were used in lieu of hazard labels, packages were more difficult to recognize than packages that required labeling. Now that ORM markings are basically nonexistent, these unlabeled Class 9s, are virtually undistinguishable from regular nonregulated packages. Additionally, when comparing the current required labeling for a Class 9, there appears to be a lack of methodology as to when a "miscellaneous" label is required and when it's not. Many Packing Group III materials do not require the miscellaneous label, but some do. Most Packing Group IIs require labeling but some Packing Group III materials do not. In summary, all regulated items should be labeled! The only exception appropriate is for "vehicles self propelled" unless they are boxed or crated, making the identification of them difficult.

Please consider our concerns over the current classification and labeling of Dry Ice, as well as other Class 9s. The transportation industry deserves as much safety as the regulations were originally designed to offer.

Regards,



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